

E X H I B I T "A"

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

TOMAS LORENZO PEREZ,  
Petitioner,

v.

Case No. 99-1237

UNITED STATES OF AMERICA,  
Respondent

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**DEMAND FOR PRODUCTION OF STATEMENTS, RECORDS AND**  
**MOTION FOR DISCLOSURE OF GRAND JURY MATERIAL**

COMES NOW, the Petitioner, Tomas Lorenzo Perez, (Hereinafter) petitioner, Herein Pro Se, and without aid of counsel and respectfully petitions' this Honorable Court for the production of statements, records and grand jury material pursuant to Title 18 U.S.C. § 3500, and petitioner submits unto this Honorable Court the following in support thereof:

- 1) The petitioner, Tomas Lorenzo Perez was indicted by the grand jury, for the district of Puerto Rico.
- 2) Petitioner Perez asserts that testimony given by S/A of the government deliberately gave inconsistent statements to the grand jury to obtain said indictment.
- 3) Petitioner asserts that the production of these statements and grand jury material would in fact demonstrate that testimony that was given to indict Mr. Perez was infact tainted and false.

Federal Rule Of Evidence, Title 18 U.S.C. § 3500(b) States:

After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce any statements as hereinafter defined of the witness in the possession of the United States which relates to the subject matter as to which the witness has testified. If the entire contents of any such statement relate to the subject matter of the testimony of the witness, the court shall order it to be delivered directly to the defendant for his examination and use.

Petitioner also contends that he is entitled to the requested materials pursuant to Federal Rules of Criminal Procedure Rule 26.2, and any refusal for the production of requested materials violates not only the petitioner's rights but also the Rules of Evidence under the Jencks Act, 18 U.S.C. § 3500, United States v. Head, 586 F.2d 508 (5th Cir. 1978); United States v. Short, 493 F.2d 1170 (9th Cir.), cert denied, 419 U.S. 1000(1974), also see, United States v. Harrington, 490 F.2d 487 (2nd Cir. 1973).

CONCLUSION

WHEREFORE, based upon the verified demand and motion seeking the production of statements, records, and grand jury material pursuant to 18 U.S.C. § 3500 Petitioner Perez prays this Honorable Court issue an order directing the United States to produce said statements, records, and grand jury material.

Respectfully Submitted, pro se

/s/ Tomas Lorenzo Perez

Tomas Lorenzo Perez, Petitioner  
Register No. 16054-069  
USP-1 Coleman  
Post Office Box 1033  
Coleman, Florida 33521-1033

CERTIFICATE OF SERVICE

I HEREBY, certify that a true and correct copy of the foregoing demand and motion for the production of statements, records and grand jury material has been forwarded to all interested parties by the United States mail postage pre-paid sufficiently, on this 25 day of JUNE 2007.

Respectfully Certified, pro se

/s/ Tomas Lorenzo Perez

Tomas Lorenzo Perez, Petitioner